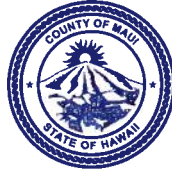


ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI
DEPARTMENT OF PLANNING

January 12, 2012

MEMORANDUM

TO: MAUI PLANNING COMMISSION
MOLOKAI PLANNING COMMISSION
LANAI PLANNING COMMISSION

FROM: WILLIAM SPENCE *WRS*
PLANNING DIRECTOR

SUBJECT: PROPOSED BILL FOR AN ORDINANCE AMENDING TITLE 19.10,
MAUI COUNTY CODE, RELATING TO THE TWO-FAMILY (DUPLEX)
DISTRICT

The proposed bill is part of the on-going effort by the Department of Planning (Department) to update, streamline, and standardize Title 19 - Zoning of the Maui County Code. The goal is to resolve conflicts, standardize code format, consolidate and eliminate outdated terms and uses, as well as incorporate user friendly tables and graphics.

The proposed bill (Exhibit 1) will update and simplify the Two-Family (Duplex) District (MCC 19.10). A summary of the proposed changes and rationale are as follows:

Page and Line #	Summary of change	Rationale
1.17 -23	Changes outline of title sections	Establishes a standard outline throughout Title 19
1.26	Changes "General" to "Purpose and Intent"	Standard change to be consistent with rest of code.
1.30	Changes "Use regulation" to "Permitted uses"	Standard change to be consistent with rest of code.
1.31	Changes "A-2" to "Duplex"	Amends code to remove confusion with Apartment district.
2.3-2.4	Updates section and adds Accessory Use section	Clarifies what uses are allowed as accessory to allowed uses.
2.10	Establishes Special Use section	Keeps with standardize format and allows for uses that require review
3.1-4.7	Deletes height regulation and establishes Development Standards table	Consolidates all development standards into one area. Establishes a two development or zonings, D-1 and D-2.

The proposed bill was reviewed by the general planning staff. Staff was supportive of the overall structure and continued uses of tables.

Under Accessory uses, "Energy systems, small scale" was added to 19.10. This is an existing definition and use that has been added to other districts. Energy systems, small scale *"means energy production facilities which are incidental and subordinate to a principal use which is established on the property. These systems include but are not limited to solar, wind, hydrologic, and biomass systems."*

The proposed ordinance was transmitted to various agencies for review and comments. The following is a summary of their comments:

Agency	Date	Summary Comments	Exhibit
Fire and Public Safety	9/2/11	No comments	2
Department of Water Supply	9/20/11	No comments	3
Police Department	9/26/11	Recommend environmental design strategies to reduce crime.	4
Department of Housing and Human Concerns	10/5/11	No comments	5
Department of Health, Honolulu	9/14/11	No comments at this time.	6
Department of Health, Maui	9/23/11	Areas applicable to Individual Wastewater Systems shall meet all the requirements of HAR, Chapter 11-62, Wastewater Systems.	7
Department of Transportation	9/27/11	Does not impact their land use review process. Wishes to continue to be consulted on all land developments	8
Department of Land and Natural Resources, Land Division	9/29/11	No objections	9A-C

Recommendation and Options

The Department is recommending approval of the proposed bill. The commission has the following options:

1. Recommend approval of the proposed bill to the Maui County Council.
2. Recommend approval of the proposed bill with amendments to the Maui County Council.
3. Recommend denial of the proposed bill to the Maui County Council.
4. Vote to defer action on the proposed bill in order to gather specific additional information.

ORDINANCE NO. _____
Draft 12/10/11

BILL NO. _____ (2011)

A BILL FOR AN ORDINANCE AMENDING TITLE 19.10, MAUI COUNTY CODE,
RELATING TO TWO-FAMILY (DUPLEX) DISTRICT

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Chapter 19.10, Maui County Code, is amended by adding a
appropriately designated and to read as follows:

Chapter 19.10

TWO-FAMILY (DUPLEX) DISTRICT

Sections:

19.10.010 ~~Generally.~~ Purpose and Intent
19.10.020 ~~Use regulation~~ Permitted uses.
19.10.030 ~~Height regulations.~~ Accessory uses and structures
19.10.040 ~~Area regulations.~~ Special Uses
19.10.050 ~~Yards.~~ Development Standards
19.10.060 Rule making authority.

19.10.010 ~~Generally.~~ Purpose and Intent

A duplex district shall provide most of the desirable residential characteristics attributed to single-family districts. It has useful applications as a buffer zone along major streets and bordering neighborhood shopping centers.

(Prior code § 8-1.5(a))

19.10.020 ~~Use regulation~~ Permitted uses.

Within the ~~A-2~~ Duplex district, no building, structure or premises shall be used and no building or structure shall hereafter be erected, structurally altered, replaced, or enlarged except for one or more of the following uses:

A. Any use permitted and as regulated in the R-1, R-2 and R-3 single-family districts;

B. Two-family dwelling (duplex).

EXHIBIT -1

(Prior code § 8-1.5(b))

19.10.030 Height regulations. Accessory uses and structures

<u>Accessory uses and structures</u>	<u>Criteria or limitations</u>
<u>A. Energy systems, small-scale,</u>	<u>Provided there will be no detrimental or nuisance affect upon the neighbors.</u>
<u>B. Fences, walls, mail boxes, trash enclosures</u>	
<u>C. Garages and car ports</u>	
<u>D. Subordinate uses and structures which are determined by the director of planning to be clearly incidental and customary to the permitted uses listed herein;</u>	

~~No main building shall exceed thirty five feet in height.~~

(Prior code § 8-1.5(c))

19.10.040 Area regulations. Special Uses

This section held in reserve

~~Within any A-2 district, no building or structure shall be constructed on any lot having a width of less than sixty five feet and an area of less than seven thousand five hundred square feet. There may be more than one two family (duplex) dwelling on any lot, provided there is not less than seven thousand five hundred square feet of lot area for each two family dwelling (duplex). This lot width and area requirement shall not apply to the building of a two family dwelling on lots of less than seven thousand five hundred square feet in area where existing boundaries of such lots were actually established and of record in the Bureau of Conveyances and/or Tax Office of the state prior to the enactment of the ordinance establishing the use of zone district.~~

(Prior code § 8-1.5(d))

19.10.050 Yards. Development Standards

	D-1	D-2	Notes and exceptions
<u>Minimum Lot Area (Square feet)</u>	10,000	7500	
<u>Minimum Lot Width (in feet)</u>	65	65	
<u>Maximum Building Height (in feet)</u>	35	35	<u>Except that vent pipes, fans, chimneys, antennae, and equipment used for small scale energy systems on roofs shall not exceed fifty feet.</u>
<u>Minimum Yard Setback (in feet)</u>			
<u>Front</u>	15	15	
<u>Side</u>	6	6	
<u>Side above one-story or 15 feet</u>	10	10	
<u>Rear</u>	20	20	
<u>Accessory structures within Setback Area</u>	<u>Mail boxes, trash enclosures, boundary walls and fences.</u>		<u>Shall not exceed eight feet in height.</u>

1

2 ~~A. Front Yard. There shall be a front yard of not less than fifteen feet in a class A-2~~
3 ~~two-family district from any setback line for street widening purposes, and if no~~
4 ~~such line exists, then from main street boundary or front boundary. An attached~~
5 ~~garage, carport, or other permitted accessory use shall provide and maintain the~~
6 ~~same front yard setback as required for the main building. A detached accessory~~
7 ~~building, any portion of which is located to the side or front of the main building,~~
8 ~~shall not be less than five feet from such main building and not nearer to the side~~
9 ~~lot line than the width of the front yard required for the main building.~~

10 ~~B. Side Yard. There shall be a side yard on each side of the main two-family~~
11 ~~(duplex) dwelling of six feet. In the case of a two-story two-family (duplex) dwelling~~
12 ~~not exceeding thirty-five feet in height, the minimum side yard space shall be ten~~
13 ~~feet. An attached garage, carport, or other permitted accessory use shall provide~~

1 ~~and maintain the same yard spacing as required for the main two-family (duplex)~~
2 ~~dwelling.~~

3 ~~C. Rear Yard. There shall be a rear yard of not less than twenty feet in an A-2 two-~~
4 ~~family (duplex) district from the common boundary line. A detached permitted~~
5 ~~accessory building, any portion of which is located to the rear of a main two-family~~
6 ~~(duplex) building, shall be located not nearer than six feet to such main building;~~
7 ~~provided, however, this construction shall not reduce the depth of the rear yard to~~
8 ~~less than twenty feet.~~

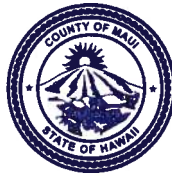
9 (Prior code § 8-1.5(e))

10
11 S:\ALL\APO\19.10 Duplex\19.10duplexdraft.doc

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

August 26, 2011

STATE AGENCIES	
<input checked="" type="checkbox"/>	Dept of Health, Maui (2)
<input checked="" type="checkbox"/>	Dept of Health, Honolulu
<input checked="" type="checkbox"/>	DOT, Statewide Planning Office (4)
<input checked="" type="checkbox"/>	DLNR-Planning (5)
<input checked="" type="checkbox"/>	Land Use Commission (Hard Copy)
<input checked="" type="checkbox"/>	Office of Planning
<input checked="" type="checkbox"/>	DBEDT
<input checked="" type="checkbox"/>	Office of Hawaiian Affairs
OTHER	

COUNTY AGENCIES	
<input checked="" type="checkbox"/>	Civil Defense (CIZ/CPA)
<input checked="" type="checkbox"/>	Dept of Water Supply
<input checked="" type="checkbox"/>	Dept of Housing
<input checked="" type="checkbox"/>	Dept of Human Concerns
<input checked="" type="checkbox"/>	Dept of Public Works (3 Hard Copies)
<input checked="" type="checkbox"/>	Fire & Public Safety
<input checked="" type="checkbox"/>	Police Department
<input checked="" type="checkbox"/>	Zoning Admin. & Enforcement Div.
FEDERAL AGENCIES	

PROJECT NAME: TITLE 19 UPDATED TO CHAPTERS 19.10
APPLICANT: William Spence, Planning Director
SUBJECT I.D.: Changes 19.10 Duplex Districts

TRANSMITTED TO YOU ARE THE FOLLOWING:

☒ Draft Ordinance

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For your Comment and Recommendation

Please provide any previous comments, letters, etc. pertinent to this proposed ordinance and identify which of your comments and recommendations you would like the Department of Planning to recommend as conditions of approval. Submit your comments directly to me by September 27, 2011. If no comment, please sign the bottom and return. For additional clarification, please contact me via email at joseph.alueta@mauicounty.gov or by phone at (808) 270-7743.

Sincerely,

JOSEPH W. ALUETA, Administrative Planning Officer
For: William Spence, Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
Joseph W. Alueta, Administrative Planning Officer
Project File
General File

WRS:JWA:atw

S:\ALL\APO\19.10 Duplex\transmittal to agencies.doc

EXHIBIT -2

We have no comment:	Signed: <i>Paul Haake</i>	Dated: <i>9/2/11</i>
Print Name: <i>Paul Haake</i>	Title: <i>Captain; FPB</i>	

250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793

MAIN LINE (808) 270-7735; FACSIMILE (808) 270-7634

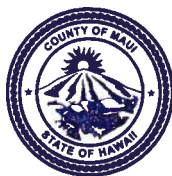
CURRENT DIVISION (808) 270-8205; LONG RANGE DIVISION (808) 270-7214; ZONING DIVISION (808) 270-7253

11/5472

ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director



11 SEP 23 PM 12:07

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

August 26, 2011

STATE AGENCIES	
<input checked="" type="checkbox"/>	Dept of Health, Maui (2)
<input checked="" type="checkbox"/>	Dept of Health, Honolulu
<input checked="" type="checkbox"/>	DOT, Statewide Planning Office (4)
<input checked="" type="checkbox"/>	DLNR-Planning (5)
<input checked="" type="checkbox"/>	Land Use Commission (Hard Copy)
<input checked="" type="checkbox"/>	Office of Planning
<input checked="" type="checkbox"/>	DBEDT
<input checked="" type="checkbox"/>	Office of Hawaiian Affairs
OTHER	

COUNTY AGENCIES	
<input checked="" type="checkbox"/>	Civil Defense (CIZ/CPA)
<input checked="" type="checkbox"/>	Dept of Water Supply
<input checked="" type="checkbox"/>	Dept of Housing
<input checked="" type="checkbox"/>	Dept of Human Concerns
<input checked="" type="checkbox"/>	Dept of Public Works (3 Hard Copies)
<input checked="" type="checkbox"/>	Fire & Public Safety
<input checked="" type="checkbox"/>	Police Department
<input checked="" type="checkbox"/>	Zoning Admin. & Enforcement Div.
FEDERAL AGENCIES	

PROJECT NAME: TITLE 19 UPDATED TO CHAPTERS 19.10
 APPLICANT: William Spence, Planning Director
 SUBJECT I.D.: Changes 19.10 Duplex Districts

TRANSMITTED TO YOU ARE THE FOLLOWING:

☒ Draft Ordinance

THESE ARE TRANSMITTED AS CHECKED BELOW:

☒ For your Comment and Recommendation

Please provide any previous comments, letters, etc. pertinent to this proposed ordinance and identify which of your comments and recommendations you would like the Department of Planning to recommend as conditions of approval. Submit your comments directly to me by September 27, 2011. If no comment, please sign the bottom and return. For additional clarification, please contact me via email at joseph.alueta@mauicounty.gov or by phone at (808) 270-7743.

Sincerely,

JOSEPH W. ALUETA, Administrative Planning Officer
 For: William Spence, Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
 Joseph W. Alueta, Administrative Planning Officer
 Project File
 General File

WRS:JWA:atw

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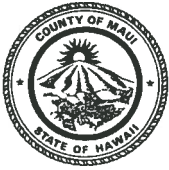
EXHIBIT - 3

We have no comment:	Signed:	Dated: SEP 20 2011
Print Name:	PAUL J. MEYER	Title: DEPUTY DIRECTOR

250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793

MAIN LINE (808) 270-7735; FACSIMILE (808) 270-7634

CURRENT DIVISION (808) 270-8205; LONG RANGE DIVISION (808) 270-7214; ZONING DIVISION (808) 270-7253



ALAN M. ARAKAWA
MAYOR

OUR REFERENCE

YOUR REFERENCE

POLICE DEPARTMENT

COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, HAWAII 96793
(808) 244-6400
FAX (808) 244-6411



GARY A. YABUTA
CHIEF OF POLICE

11 SEP 26 10:00

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED
CLAYTON N.Y.W. TOM
DEPUTY CHIEF OF POLICE

September 22, 2011

MEMORANDUM

TO : JOSEPH W. ALUETA, ADMINISTRATIVE PLANNING OFFICER
DEPARTMENT OF PLANNING

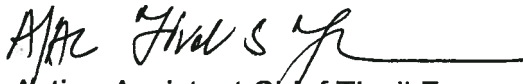
FROM : GARY A. YABUTA, CHIEF OF POLICE

SUBJECT : PROJECT NAME: TITLE 19 UPDATED TO CHAPTERS 19.10
APPLICANT: William Spence, Planning Director
SUBJECT ID: Changes 19.10 Duplex Districts

☐ No recommendation or comment to offer.

☒ Refer to enclosed comments and/or recommendations.

Thank you for giving us the opportunity to comment on this project.


Acting Assistant Chief Tivoli Faaumu
For: GARY A. YABUTA
Chief of Police

Enclosure

EXHIBIT -4

COPY

TO : GARY YABUTA, CHIEF OF POLICE, COUNTY OF MAUI

VIA : CHANNELS

FROM : JHUN-LEE CASIO, POLICE OFFICER III, COMMUNITY POLICE OFFICER

SUBJECT : RESPONSE TO A REQUEST FOR COMMENTS AND RECOMMENDATIONS REGARDING CHANGES TO MAUI COUNTY ORDINANCE CHAPTER (19.10) DUPLEX DISTRICTS

Recommend approval to submit suggestions by JLC 9/21/11

This memorandum is being submitted as a response to a request for comments and recommendations by County of Maui Department of Planning, Administrative Planning Officer, Joseph W. ALUETA.

PROJECT: Title 19 Updated to Chapters 19.10 (Duplex Districts)

APPLICANT: William Spence, Planning Director

RESPONSE:

In review of the submitted documents, concerns from the police perspective would be upon the safety of pedestrian and vehicular movement as well as public safety.

Upon reviewed of the proposed changes of County Ordinance Chapter 19.10 (Duplex Districts), I found that the previous Chapter 19.10 had been generalized. Under Special Use section (19.10.040), the previous area regulations was deleted and being held in reserve.

Under Development Standards section (19.10.050), the Crime Prevention through Environmental Design (CPTED) strategies should be considered in planning, landscape architecture, and architecture to reduce crime, the fear of crime, and the opportunity for crime to occur in communities and the environment.

I recommend that the following strategies be considered.

1. Design the duplex so that the exterior doors are visible to the street or neighbors
2. Use good lighting on all doors that open to the outside.
3. Keep trees and shrubs trimmed back from the windows, doors, and walkways.
4. Allow plant growth to be no more than 3 foot high for clear visibility.
5. Installing see through fences, and so forth.

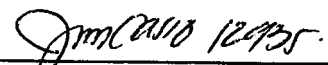
*RECOMMENDED APPROVAL TO
SUBMIT SUGGESTIONS BY
JLC CASIO.*

[Signature]
9/21/11

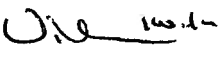
CONCLUSION:

The above recommendations are based upon the Crime Prevention through Environmental Design (CPTED) strategy to reduce the fear and incidence of crime and an improvement in the quality of life.

Submitted for your perusal,


Jhun-lee CASIO E#12935
Police Officer III / Community Policing
09/20/11 @ 1000 HRS.

CONCUR. THE UPDATES APPEAR
TO BE MORE VAGUE THAN
CURRENTLY FOLLOWED.

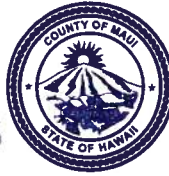
Sgt. Juel Vile 
9-21-11

11/5 742 ALAN M. ARAKAWA
Mayor

WILLIAM R. SPENCE
Director

MICHELE CHOUTEAU McLEAN
Deputy Director

11 OCT -5 P1:25



DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

COUNTY OF MAUI

DEPARTMENT OF PLANNING

TRANSMITTAL

August 26, 2011

STATE AGENCIES	
<input checked="" type="checkbox"/>	Dept of Health, Maui (2)
<input checked="" type="checkbox"/>	Dept of Health, Honolulu
<input checked="" type="checkbox"/>	DOT, Statewide Planning Office (4)
<input checked="" type="checkbox"/>	DLNR-Planning (5)
<input checked="" type="checkbox"/>	Land Use Commission (Hard Copy)
<input checked="" type="checkbox"/>	Office of Planning
<input checked="" type="checkbox"/>	DBEDT
<input checked="" type="checkbox"/>	Office of Hawaiian Affairs
OTHER	

COUNTY AGENCIES	
<input checked="" type="checkbox"/>	Civil Defense (CIZ/CPA)
<input checked="" type="checkbox"/>	Dept of Water Supply
<input checked="" type="checkbox"/>	Dept of Housing
<input checked="" type="checkbox"/>	Dept of Human Concerns
<input checked="" type="checkbox"/>	Dept of Public Works (3 Hard Copies)
<input checked="" type="checkbox"/>	Fire & Public Safety
<input checked="" type="checkbox"/>	Police Department
<input checked="" type="checkbox"/>	Zoning Admin. & Enforcement Div.
FEDERAL AGENCIES	

PROJECT NAME: TITLE 19 UPDATED TO CHAPTERS 19.10
APPLICANT: William Spence, Planning Director
SUBJECT I.D.: Changes 19.10 Duplex Districts

TRANSMITTED TO YOU ARE THE FOLLOWING:

<input checked="" type="checkbox"/>	Draft Ordinance
-------------------------------------	-----------------

THESE ARE TRANSMITTED AS CHECKED BELOW:

<input checked="" type="checkbox"/>	For your Comment and Recommendation
-------------------------------------	-------------------------------------

Please provide any previous comments, letters, etc. pertinent to this proposed ordinance and identify which of your comments and recommendations you would like the Department of Planning to recommend as conditions of approval. Submit your comments directly to me by September 27, 2011. If no comment, please sign the bottom and return. For additional clarification, please contact me via email at joseph.alueta@mauicounty.gov or by phone at (808) 270-7743.

Sincerely,

JOSEPH W. ALUETA, Administrative Planning Officer
For: William Spence, Planning Director

xc: Clayton I. Yoshida, AICP, Planning Program Administrator
Joseph W. Alueta, Administrative Planning Officer
Project File
General File

WRS:JWA:atw

S:\ALL\APO\19.10 Duplex\transmittal to agencies.doc

EXHIBIT - 5

We have no comment:	Signed:	Dated: 10/03/11
Print Name:	Wayne T. Oshiro	Title: Housing Administrator

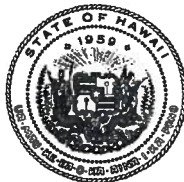
250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793

MAIN LINE (808) 270-7735; FACSIMILE (808) 270-7634

CURRENT DIVISION (808) 270-8205; LONG RANGE DIVISION (808) 270-7214; ZONING DIVISION (808) 270-7253

11/5 248

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

11 SEP 14 AM 1:52

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. BOX 3378
HONOLULU, HI 96801-3378

In reply, please refer to:
File:

EPO-11-174

September 2, 2011

Mr. Joseph W. Alueta
Administrative Planning Officer
County of Maui
Department of Planning
250 South High Street
Wailuku, Maui, Hawaii 96793

Dear Mr. Alueta:

**SUBJECT: Comment and Recommendation for TITLE 19 UPDATED TO
CHAPTERS 19.10; Changes 19.10 Duplex Districts**

Thank you for allowing us to review and comment on the subject document. The document was routed to the various branches of the Environmental Health Administration. We have no comments at this time, but reserve the right to future comments. We strongly recommend that you review all of the Standard Comments on our website:

www.hawaii.gov/health/environmental/env-planning/landuse/landuse.html. Any comments specifically applicable to this application should be adhered to.

The same website also features a Healthy Community Design Smart Growth Checklist (Checklist). The Hawaii State Department of Health, Built Environment Working Group, recommends that State and county planning departments, developers, planners, engineers and other interested parties apply the healthy built environment principles in the Checklist whenever they plan or review new developments or redevelopments projects. We also ask you to share this list with others to increase community awareness on healthy community design.

If there are any questions about these comments please contact the Environmental Planning Office at 586-4337.

Sincerely,


GENEVIEVE SALMONSON, Acting Manager
Environmental Planning Office

EXHIBIT - 6



**STATE OF HAWAII
DEPARTMENT OF HEALTH
MAUI DISTRICT HEALTH OFFICE**
54 HIGH STREET
WAILUKU, HAWAII 96793

September 22, 2011

Mr. William R. Spence
Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

11 SEP 23 09:50

Attention: Joseph W. Alueta

Dear Mr. Spence:

Subject: Title 19 Updated to Chapter 19.10
Applicant: William Spence, Planning Director
Permit No.: Changes 19.10 Duplex Districts

Thank you for the opportunity to review this project. We have the following comments to offer:

Areas applicable to Individual Wastewater Systems (IWS) shall meet all the requirements of Hawaii Administrative Rules, Chapter 11-62, "Wastewater Systems." If you have any questions, please call Roland Tejano, Environmental Engineer, at 808 984-8232.

Should you have any questions, please call me at 808 984-8230 or E-mail me at patricia.kitkowski@doh.hawaii.gov.

Sincerely,

A handwritten signature in cursive script that reads "Patti Kitkowski".

Patti Kitkowski
District Environmental Health Program Chief

EXHIBIT-7

11/5536

NEIL ABERCROMBIE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
869 PUNCHBOWL STREET
HONOLULU, HAWAII 96813-5097

GLENN M. OKIMOTO
DIRECTOR

Deputy Directors
JADE T. BUTAY
FORD N. FUCHIGAMI
RANDY GRUNE
JADINE URASAKI

11 SEP 27 11:48

DEPT OF PLANNING
COUNTY OF MAUI
RECEIVED

IN REPLY REFER TO:

STP 8.0541

September 20, 2011

Mr. William Spence
Director
Department of Planning
County of Maui
250 South High Street
Wailuku, Hawaii 96793

Dear Mr. Spence:

Subject: Maui County Code Amendment
Title 19.10 Two-Family (Duplex) Districts
County of Maui

Thank you for requesting the State Department of Transportation's (DOT) review of the subject ordinance amending Maui County Code.

DOT understands the proposed amendment is a reformatting effort for Title 19.10, Duplex Districts.

The proposed changes do not appear to affect DOT's land use review process (i.e. review of land development projects for transportation impacts, submittal of comments and recommendations for mitigating measures and improvements). DOT wishes to continue to be consulted on all land development projects with any potential impacts to State airport, harbor or highway facilities.

DOT appreciates the opportunity to provide these comments. If there are any questions, please contact Mr. David Shimokawa of the DOT Statewide Transportation Planning office at telephone number (808) 831-7976.

Very truly yours,

A handwritten signature in black ink, appearing to read "Glenn M. Okimoto".

GLENN M. OKIMOTO, Ph.D.
Director of Transportation

EXHIBIT -8

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



WILLIAM J. AILA, JR.
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCES MANAGEMENT



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 29, 2011

County of Maui
Department of Planning
Attention: Mr. Joseph W. Alueta
Administrative Planning Officer
250 S. High Street
Wailuku, Hawaii 96793

via email: joseph.alueta@mauicounty.gov

Dear Mr. Alueta:

SUBJECT: Changes to Chapter 19.10, Maui County Code, Relating to Two-Family (Duplex) District

Thank you for the opportunity to review and comment on the subject matter. The Department of Land and Natural Resources' (DLNR) Land Division distributed or made available a copy of your report pertaining to the subject matter to DLNR Divisions for their review and comments.

At this time, enclosed are comments from our Engineering Division on the subject matter. Should you have any questions, please feel free to call Darlene Nakamura at 587-0417. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Russell Y. Tsuji".

Russell Y. Tsuji
Land Administrator

No. of Pages: 3

EXHIBIT - 9A



11 SEP 16 PM 03:29 ENGINEERING
WILLIAM J. AILA, JR.
LAND AND NATURAL RESOURCES
COMMISSIONER



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION

POST OFFICE BOX 621
HONOLULU, HAWAII 96809

September 14, 2011

MEMORANDUM

TO:

DLNR Agencies:

- ☐ Div. of Aquatic Resources
- ☐ Div. of Boating & Ocean Recreation
- ☒ Engineering Division
- ☐ Div. of Forestry & Wildlife
- ☐ Div. of State Parks
- ☒ Commission on Water Resource Management
- ☐ Office of Conservation & Coastal Lands
- ☒ Land Division – Maui District
- ☐ Historic Preservation

RECEIVED
LAND DIVISION
2011 SEP 20 A 9:46
PLANNING & ZONING
MAUI

FROM:

Russell Y. Tsuji, Land Administrator

SUBJECT:

Changes to Chapter 19.10, Maui County Code, Relating to Two-Family (Duplex) District

LOCATION:

County of Maui

APPLICANT:

Department of Planning, County of Maui

Transmitted for your review and comment on the above referenced document. We would appreciate your comments on this document. Please submit any comments by September 23, 2011.

If no response is received by this date, we will assume your agency has no comments. If you have any questions about this request, please contact Darlene Nakamura at 587-0417. Thank you.

Attachments

- () We have no objections.
- () We have no comments.
- (✓) Comments are attached.

Signed:

Date:

[Signature]
9/19/11

cc: Central Files

B

**DEPARTMENT OF LAND AND NATURAL RESOURCES
ENGINEERING DIVISION**

LD/Darlene Nakamura

**Ref.: Changes Chapter 19.10 Maui County Code
Maui.551**

COMMENTS

- () We confirm that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ____.
- () Please take note that the project site, according to the Flood Insurance Rate Map (FIRM), is located in Flood Zone ____.
- () Please note that the correct Flood Zone Designation for the project site according to the Flood Insurance Rate Map (FIRM) is ____.
- () Please note that the project must comply with the rules and regulations of the National Flood Insurance Program (NFIP) presented in Title 44 of the Code of Federal Regulations (44CFR), whenever development within a Special Flood Hazard Area is undertaken. If there are any questions, please contact the State NFIP Coordinator, Ms. Carol Tyau-Beam, of the Department of Land and Natural Resources, Engineering Division at (808) 587-0267.

Please be advised that 44CFR indicates the minimum standards set forth by the NFIP. Your Community's local flood ordinance may prove to be more restrictive and thus take precedence over the minimum NFIP standards. If there are questions regarding the local flood ordinances, please contact the applicable County NFIP Coordinators below:

- () Mr. Robert Sumitomo at (808) 768-8097 or Mr. Mario Siu Li at (808) 768-8098 of the City and County of Honolulu, Department of Planning and Permitting.
 - () Mr. Frank DeMarco at (808) 961-8042 of the County of Hawaii, Department of Public Works.
 - () Mr. Francis Cerizo at (808) 270-7771 of the County of Maui, Department of Planning.
 - () Ms. Wynne Ushigome at (808) 241-4890 of the County of Kauai, Department of Public Works.
-
- () The applicant should include water demands and infrastructure required to meet project needs. Please note that projects within State lands requiring water service from the Honolulu Board of Water Supply system will be required to pay a resource development charge, in addition to Water Facilities Charges for transmission and daily storage.
 - () The applicant should provide the water demands and calculations to the Engineering Division so it can be included in the State Water Projects Plan Update.
 - () Additional Comments: _____

- (X) **Other: We do not have any objections to a bill for an ordinance amending Title 19.10, Maui County Code, relating to Two-family (Duplex) district.**

Should you have any questions, please call Ms. Suzie S. Agraan of the Planning Branch at 587-0258.

Signed: _____

CARTY S. CHANG, CHIEF ENGINEER

Date: _____

9/19/11

C